

Minister for Equalities
Scottish Government
St Andrew's House
Regent Road
Edinburgh
EH1 3DG

via email: MinisterforEqualities@gov.scot

10 March 2025

Dear Minister,

Implementation of Concluding Observations, United Nations International Covenant on Economic, Social and Cultural Rights (ICESCR)

As you will be aware, last month the United Nations Committee on Economic, Social and Cultural Rights (CESCR) undertook the 7th periodic review of the UK's obligation under the International Covenant on Economic, Social and Cultural Rights (ICESCR.)

Following the publication of the Committee's Concluding Observations on 3rd March 2025, I write to encourage you to consider a public statement responding to the concluding observations and transparently setting out the Scottish Government's assessment of their applicability and how they can be addressed in Scotland.

While we recognise that the Concluding Observations are directed to the State under review, in this case the UK, the Commission has set out in our own evidence to the CESCR our independent domestic analysis from monitoring enjoyment of the Convention in Scotland. This is a comprehensive assessment within a devolved context, including recommendations for specific action. I enclose a copy of our evidence for your information and hope it may be illustrative of how the Concluding Observations align with our own assessment of compliance.

I was grateful to meet with Committee members in Geneva as part of the Commission's informal briefing and to have the opportunity to explain our priorities, which include the limited access to justice for ESC rights, regional barriers to rights realisation, the disengagement of and pressures faced by civil society and the extreme impacts of the cost of living, especially for housing, incomes, food and social care.

I am pleased to report that we observed a robust, challenging and informed dialogue led by the UN Committee experts, and which attempted to cover a wide range of issues across the whole of the UK. I am further pleased to report that many Scottish civil society organisations participated in the ICESCR review, in writing, through in person or virtual meetings with Committee members and through the Commission's own outreach, which engaged with civil society organisations and Scottish scrutiny bodies such as regulators.

I also welcome the active role the Scottish Government played in the UK delegation to the CESCR's review. I am optimistic that this demonstrates the commitment to proactively engage with accountability mechanisms internationally and domestically.

I therefore strongly encourage the Scottish Government to be proactive in setting out for the public how it will use the powers it has to act on the Concluding Observations and support us at the SHRC (Scotland's National Human Rights Institution), the Scottish Parliament, civil society and the people of Scotland – the rights holders – to assess action from now until the next review. In doing so, Scotland can be a leader in promoting the effective use of international and domestic systems of human rights accountability and human rights protection to deliver real and meaningful progress. This is also an opportunity to support a broader participation across Scotland in developing the next steps and supports the Scottish Government own commitment to exploring a human rights tracker tool.

I further note that last year saw publication of Concluding Observations from the Committee on the Elimination of Racial Discrimination, the Human Rights Committee (which scrutinises the International Covenant on Civil and Political Rights) and updated recommendations from the Committee on the Rights of Persons with Disabilities following an inquiry into 'grave and systematic' violations of the UNCRPD.

I would be grateful if you would confirm when the Scottish Government's is able to provide an official update on its response to these Concluding Observations, particularly following your positive public comments at an event in November 2024

hosted by BEMIS to share the Concluding Observations of the UN CERD Committee.

We will be following up on the matters we highlighted with the UN Committees in 2024-25 to the Scottish Parliament, and have encouraged the Equality, Human Rights and Civil Justice Committee to hold their own review of the CESCR process and to play a more active scrutiny role in the treaty reporting process more generally. We have encouraged them to consider this as a standard programme of business aligned to the Treaty Body review cycle, and look forward to their response.

From the Commission's perspective, we will build on this in our next annual State of the Nation report, which this year will focus on ESC rights and be delivered to the parliament for Human Rights Day on the 10th December 2025.

I remain happy to discuss our international treaty monitoring and reporting activities, as well as any other element of the Commission's work as Scotland's independent human rights institution.

Yours sincerely,



Professor Angela O'Hagan
Chair

Cc: [Parallel Report of the Scottish Human Rights Commission to Replies of the United Kingdom of Great Britain and Northern Ireland to the list of issues in relation to its seventh periodic report to the Committee on Economic Social and Cultural Rights](#)

[Committee on Economic, Social and Cultural Rights Concluding observations on the seventh periodic report of the United Kingdom of Great Britain and Northern Ireland](#)

[Committee on the Elimination of Racial Discrimination Concluding observations on the combined twenty-fourth to twenty-sixth periodic reports of the United Kingdom of Great Britain and Northern Ireland](#)